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AF

**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number  
4501-1004

Applicant(s): Robert Bartlett ELLIOTT et al.

Conf.: 8690

Application #: 10/019,506

Filed: May 10, 2002

Title: PROPHYLACTIC DIETARY SUPPLEMENT BASED ON MILK

Group Art Unit: 1654

Examiner: Randall Winston

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated **June 2, 2005** rejecting the following claims: 28-32 and 37-45.

The fee for this Notice of Appeal is: \$ 500

If I have checked one of the boxes below, then this is also a petition for an extension of time under 37 CFR 1.136(a) to reply to the rejection:

Extension of time requested for:

- ☐ - 1 Month  
☒ - 2 months  
☐ - 3 Months  
☐ - 4 Months (if available)

Non-small entity fee for extension of time:

\$ 120  
\$ 450  
\$ 1,020  
\$1,590

The sum of the fee for the Notice of Appeal and the fee for any extension of time is:

\$ 950

☒ Applicant claims small entity status. See 37 CFR 1.27.  
Therefore, the fee shown above is reduced by half, and the  
resulting fee is:

**\$475**

☒ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 25-0120. I have enclosed a duplicate copy of this sheet.

Respectfully submitted,

YOUNG & THOMPSON

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01 FC:2401  
02 FC:2252

250.00 OP  
225.00 OP

PD/mjr  
November 2, 2005